

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
WESTERN DIVISION

UNITED STATES OF AMERICA, Plaintiff, vs. KRYSTAL MESTETH, Defendant.	5:22-CR-50146-01-KES ORDER ADOPTING REPORT & RECOMMENDATION AS MODIFIED AND SENTENCING SCHEDULING ORDER
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On August 4, 2023, defendant, Krystal Mesteth, appeared before Magistrate Judge Danetta Wollman for a change of plea hearing. Magistrate Judge Wollman issued a report recommending the court accept defendant's plea of guilty to Count 1 of the Indictment. Count 1 of the Indictment charges Mesteth with Conspiracy to Distribute a Controlled Substance, in violation of 21 U.S.C. §§ 846, 841(a)(1) and 841(b)(1)(A). Defendant waived any objection to the report and recommendation. Although not explicitly mentioned in the report and recommendation, as part of the plea, the parties agreed that the Government would dismiss the remaining count in the Indictment as it pertains to the Defendant. Docket 47 ¶ C. Upon review of the record in this case, it is

ORDERED that the report and recommendation (Docket 53) is adopted as modified to reflect the parties' agreement that the Government will dismiss the remaining count in the Indictment as it pertains to the Defendant. The defendant is adjudged guilty of Conspiracy to Distribute a Controlled Substance, in violation of 21 U.S.C. §§ 846, 841(a)(1) and 841(b)(1)(A). It is

FURTHER ORDERED that the sentencing hearing in this matter will be held on October 24, 2023 at 3:30 p.m. in Rapid City Courtroom 2.

Dated August 4, 2023.

BY THE COURT:

/s/ Karen E. Schreier

KAREN E. SCHREIER

UNITED STATES DISTRICT JUDGE